

Uintah.—My last report dwelt at some length on the condition of allotments on the Uintah Reservation in Utah, because it presented such an illustration of the un wisdom of doing in haste work that demands deliberation. I have had to keep an allotting force on the ground the greater part of the year, endeavoring to straighten out the difficulties arising from the fact that the act of Congress providing for the opening limited our time so that we had no chance to survey the lands before making the allotments. The field work of the survey, when finished, was found to be faulty. The lands were assigned by regular subdivisions as far as practicable, but the changes in the surveys and plats will make it necessary to cancel a very large percentage of the allotments and to issue new certificates or trust patents showing the lands which the Indians are actually to receive.

Uintah.—The work of constructing the several systems of irrigation on the Uintah Reservation in Utah has progressed favorably during the year, with the expenditure of \$120,672.32 of the amount appropriated by the act of June 21, 1906 (34 Stat. L., 375). In view of the necessity of using the water in order to hold its appropriation under the laws of Utah, the acting agent was instructed last February to make every possible effort to lease all allotted land which could be irrigated, wherever the allottees were making no use of it. Very favorable terms were offered, and by advertising and press notices wide publicity was given to the fact that these lands could be leased. Many letters of inquiry have been received, but only twenty-six leases have been effected.

THE ABSENTEE UTES.

During the summer of 1906 a band of about 200 nonprogressive Utes—mostly members of the White River band—left their allotments and homes on the Uintah Reservation, Utah, to go to the Pine Ridge Reservation, S. Dak., there to enjoy an unrestricted communal life.

Capt. C. G. Hall, acting United States Indian agent of the Uintah and Ouray Agency, Utah, in a report dated July 12, 1906, on the question of retaining troops at Fort Duchesne, said that the band of malcontent Indians had been considerably decreased in strength by the departure from the reservation of probably 200 members; that their dissatisfaction with the Government was the result of the changes which had recently been brought about through allotments having been made to them and their surplus lands thrown open to public settlement; that since the opening of the reservation they had been able to secure all the intoxicating liquor they wanted; and that as a result several Indians had been killed and the lives of settlers threatened by drunken Indians, all of which aggravated the situation.

The agent at Pine Ridge telegraphed the Office on July 24, 1906, that a part of the band of Absentee Utes had reached that reservation and had been ordered to leave, and that 50 others had been noticed near Casper, Wyo., on July 10. In response the agent was instructed to ascertain fully their purpose in going to Pine Ridge, and to tell them that they could acquire no rights there; that they could not be allowed to interfere with the Sioux Indians of that agency; and that they might, by reason of their absence, lose their rights on the Uintah Reservation.

Capt. C. G. Hall, U. S. Army, the acting agent in charge of the Utes, reporting on August 11, 1906, in response to an inquiry from the Office, said that there were in the party of Absentees about 120 men, 73 women, and 8 children; that they were then near Casper, Wyo., but purposed going into the Dakotas and would probably camp at Wounded Knee for two weeks. He added that they had committed no depredations or unlawful acts, and recommended that Inspector McLaughlin be appointed to assist him in inducing the Indians to return. About ten days later he telegraphed that nearly all the Absentees were then at a point about 10 miles west of Douglas, Wyo.; that he had held a council with them and urged them to return home,

but that they were obdurate and insisted upon going into the Rosebud Indian country.

He was urged to impress upon the Indians the futility of proceeding on their journey and the desire of the Office that they return to their home and allotments.

On August 24, 1906, he wired that the Absentees were absolutely immovable in their intention to continue their journey; that they were preparing to move eastward, either to the Rosebud Reservation or the Black Hills; that as allottees, and therefore citizens, they insisted on their freedom to go where they pleased, and that though they had not yet committed depredations they would be forced to do so when their present supplies were exhausted.

On August 25, 1906, Hon. B. B. Brooks, governor of Wyoming, telegraphed that about 300 Utes, who had been camped along Flat River, near Douglas, Wyo., for several weeks were then heading across the country toward Little Water, that the settlers would not permit trespassing, and that he feared serious trouble. He asked this Department to remove the band from Wyoming. Captain Hall was at once instructed by telegraph that if he were absolutely certain of his inability to induce the Indians to abandon their intention, he should warn them that if they persisted in disregarding the wishes of the Office they would have to take the responsibility for anything which might happen to them; that he should explain, also, that the citizenship to which they attributed their independence had its burdens as well as its privileges, and that as citizens they were liable to punishment by local authorities for any unlawful acts they might commit.

Two days later the governor of Wyoming was advised of the action of the Office, which expressed its attitude thus:

As long as they [the Indians] are peaceable and do not threaten hostility it does not seem that the Federal Government would be justified in interfering with them. Moral suasion has been used with little apparent effect in inducing them to return to their homes, and it would therefore seem at present that the case is one for the local authorities rather than for this Department.

In a letter to the Department dated September 17, the governor again set forth the serious aspect of the matter, saying that neither the county nor the State authorities were able to cope with the situation, and urging the necessity for Federal action.

The next day Hon. F. W. Mondell, Representative from Wyoming, wrote the Office that reports had been received of many small thefts and depredations committed by the Utes; that their presence was a constant source of irritation and menace to the settlers, and that serious trouble was expected if they were not soon removed from Wyoming. The Department answered that Inspector James McLaughlin had been directed to proceed immediately to Casper and hold a conference with the Indians in the hope of persuading them to

return to their homes without the use of troops; that the Department had communicated all the facts to the President and recommended, should the mission of the inspector fail, that troops be used to remove the Indians if it could be done lawfully; and that——

The Office seriously doubts that United States troops could legally be used for the purpose of apprehending and returning such Indians or for the purpose of preventing them from peaceably leaving their homes, and has always insisted in such cases on the State's paramount authority, and that the use of troops should not be resorted to, if at all, until every effort has been made by the State authorities to meet the requirements of the situation.

On October 8, 1906, Inspector McLaughlin telegraphed the Office from Newcastle, Wyo., that he had just returned from the Ute camp; that the leader of the absentees refused to return home; that he (the inspector) had succeeded in getting 45 of the Indians to accompany him to Utah; that some of those who did not return would go to the Pine Ridge Agency, and about 100 of the more aggressive would continue northwest to the Big Horn Mountains, where they thought of settling; that no trouble need be apprehended from them if they were not interfered with; but that they were sullen and would doubtless resist if forced to return while in that mood.

Forty-five of the absentees were accordingly provided with transportation to their homes.

The John Morton Sheep Company telegraphed to the Department on October 11 that the Utes camped 15 miles from Gillette were robbing sheep camps and killing cattle and game; that the people of the settlements were becoming aroused, and that serious trouble was feared.

The governor of Wyoming wired the Department on October 14 that nearly all the Indians were then camped at Gillette, Wyo.; that they were drinking, insulting and stealing, and had defied the local police. He requested prompt action in order to avert serious trouble between the absentees and the settlers.

The Department telegraphed to the governor the next day, inquiring whether he requested the Government to send United States troops into Wyoming to preserve order and arrest and remove the Indians. On receipt of an affirmative response the President directed that the matter be turned over to the War Department, and on October 18 the Office furnished Capt. S. A. Cloman, of the General Staff of the Army, a brief memorandum about the trouble.

On October 19 the Secretary of War telegraphed to the major-general commanding the northern division:

It having been represented to the President that a band of Ute Indians have entered the State of Wyoming, and have there committed a series of depredations against the property and rights of its citizens; and a formal application for protection having been submitted in their behalf by the governor of Wyoming, the legislature of that State not being in session, and it being impossible

to convene it; the President directs that Major-General Greely, commanding northern division, be instructed to cause a suitable force of cavalry to proceed to the scene of disturbance and command the intruders to return to their homes. It is the President's desire that they be firmly but tactfully dealt with and that a violent course be avoided unless their defiance of the authority of the United States continues and it becomes necessary, for that reason, to compel them to desist from their unlawful conduct and return to the lands which have been allotted to their use in the Uintah Reservation, Utah.

The Indian agent at Crow Agency reported on October 20 that the Absentee Utes were camped about 40 miles north of Gillette, Wyo., on the Little Powder River; that they had purchased subsistence supplies at Gillette, Wyo., but had made no hostile demonstrations, and were heading apparently for the Crow or the Northern Cheyenne Reservation in Montana.

The War Department ordered that troops proceed to the Indian camp and intercept a part of the band reported to be heading toward the Crow Reservation.

Major-General Greely telegraphed the War Department on October 24:

Captains Johnson and Pacton, Tenth Cavalry, striking Ute trail on the 22d, reached their camp on Spring Creek and Little Powder, 40 miles from Gillette, where a council was held with Chief Appah's band on the morning of the 23d. It would appear that the band camped with Appah consisted of about 300, with few women and children in sight and about 150 fighting men. They are fully armed, have their belts full of ammunition, and from 300 to 400 good ponies, 10,000 pounds of flour, purchased in Gillette, and a large amount of venison. Their transportation is mostly travois, with a few old wagons. While sullen and uncommunicative with reference to subject of return to Uintah Reservation, yet they expressed themselves on their grievances. They claim that they have harmed no one and expressed an intention of conducting themselves peacefully and lawfully. In this connection I have been unable to ascertain any illegal acts by them except the killing of game. They delayed moving to hold council with Johnson and Pacton, but declined to remain where they were pending further councils. At noon on the 23d the entire band moved down the Little Powder, with announced intention of proceeding to Cherry Creek, in Black Hills, but in Captain Johnson's opinion they are headed for Montana. Johnson states that they will certainly not return to the reservation unless compelled by decidedly superior forces, and is further of the opinion that they will resist any small force, in which opinion Major Grierson joins. Under these conditions, in order to avoid bloodshed, I have ordered Colonel Rogers and six troops, Sixth Cavalry, to take the field with Belle Fourche as the base. He has been instructed to intercept Appah's band and compel them to return with him to Fort Meade, where the entire band of Indians will be held as prisoners, awaiting instructions from the War Department as to their disposal. Rogers has been instructed to deal tactfully with them and avoid recourse to force save as a last extremity, but his orders are positive to bring the entire band into Fort Meade. Major Grierson has been ordered to follow the Utes with two troops—his only force, the two other troops being snowbound near Crawford. Major Grierson is directed to avoid any resort to arms, as his force is inferior to the reported fighting strength of the Utes, but he will keep in contact with them and keep these headquarters advised of their movements. Should they proceed

toward Cheyenne Reservation, it will become necessary to put the remainder of Fort Robinson garrison in the field, operating from some suitable point on the Burlington Railroad near Sheridan as a base. In this contingency the Keough command, which has been kept ready for the field, may be called into play. The character of the country, the great distances, and the unusually early advent of winter storms will necessarily entail hardships, and of course the expenses of operations must be considerable. Although the original orders to cause the return of the Utes to their reservation were based on the formal call of the governor of Wyoming, yet it is assumed that military operations are to continue, even though the Indians enter South Dakota or Montana and even though they carry out their announced intention of lawful and peaceful procedure.

Under the excellent orders of the War Department, troops were directed from various posts to converge on the Indian camp, so that on the last day of October they were in a position to prevent the Utes from going into Montana and giving their pursuers a long chase. The purpose of employing so large a military force was to overawe them and persuade them to return quietly to their homes as the alternative of being disarmed and compelled to do so. On November 2 the major-general commanding telegraphed that the officer in command of the troops in the field reported that the Indians had arranged for a conference and that, should they surrender, they would be concentrated temporarily at Fort McKenzie pending further instructions from the War Department as to their future disposal.

On November 5 the United States Indian agent at Crow Agency reported that the rumors that the Utes had burned ranch buildings, shot and killed a prominent citizen, raided the cattle of the settlers, etc., were all sent out to the press by unreliable persons and were found to be absolutely false; and that the object of such reports was to try to create a feeling against the Utes and thereby arouse the citizens to take action against them.

At their conference with the military authorities the Utes were promised that their complaints would be given a full hearing and that a delegation of their chiefs would be allowed to come to this city for the purpose of personally presenting their grievances to the President, the Secretary of the Interior and the Commissioner of Indian Affairs. With this assurance the Indians accompanied the troops peaceably to Fort Meade, S. Dak., starting on November 6.

In the early part of March it was suggested by the Indian agent at Pine Ridge that it might be a good plan to disarm the absentee Utes, as reports had reached the Sioux that they were restless and in a threatening mood. Investigation proved that the reports were false, the Indians having conducted themselves in an exemplary manner; and in response to the recommendation of the commandant in charge, they were not disarmed.

After the Indians had gone peaceably to Fort Meade, S. Dak., several misinformed friends of the Indians wrote the Office protesting against the action taken and intimating that the Indians were starving, half clad, and ill sheltered. To one typical correspondent of that sort I wrote, under date of November 7, pointing out a few of his more glaring errors of fact, and adding:

Someone has misled you also, evidently, on the subject of the lands in the Uintah Reservation. The very best in the entire reservation were set apart for the Indians, as well as a large grazing common and a good area of coal and timber lands for purposes of a fuel supply. The soil of the allotted land has been examined by experts and pronounced to be highly fertile if properly irrigated. The Department has taken pains to lay out a very complete and elaborate scheme of irrigation, and in the face of serious difficulties obtained from Congress an appropriation for beginning the execution of the plan, with as much of a promise as the Congress can hold out as to the action of others, that the appropriation would be continued up to \$600,000, the estimated gross cost of the entire undertaking. Owing to the hurried way in which the allotments had to be made in order to comply with the law, it was of the first importance that the Indians who had received allotments should be on the spot to take possession of them as fast as they could be staked or fenced or otherwise distinguished, and that they should begin the work of their improvement, so as to get all the advantage possible of the laws of the State of Utah affecting water rights.

The other bands on the reservation with the White Rivers have behaved very well in that regard, trusting to the Government to provide for them as well as was practicable. The White Rivers from the first have been very sullen and ugly, and have simply demanded that no white civilization should come anywhere near them. A delegation visited this city about eighteen months ago, and I took them, at their request, to see the President and the Secretary of the Interior after they had heard what I had to say to them; and both the President and the Secretary, without any previous consultation with me, told them almost in the same words what I had told them as to the future of their people. The White Rivers alone of all the Utes on the reservation have kept alive the agitation against white civilization. Their exodus this summer had been prepared for by a process of accumulation of money and other material for a year or more—the sort of accumulation which, if it had been directed into a more sensible channel, would have done a great deal for their welfare and put them beyond the probability, almost the possibility, of serious need. The agent followed them into Wyoming, explaining to them the impracticability of their plan of going off to live among the Sioux, as the Sioux owned their own country, and it would be as far out of the question for the Utes to take away the Sioux lands to live on as it would be for the Sioux to come to Utah and take away the Ute lands. What these Indians demand is a big hunting ground—not farming country. They do not wish to farm and do not care to have settled homes; but their appeal to the President last spring, and to the soldiers since, has been for a game country which they could inhabit and where the white man would leave them alone.

To my mind, the action of the military authorities has been humane to the last degree. I do not know when I have ever seen a more creditable exhibition of American intelligence and genuine kindness of heart than on the part of the officers who had charge of the expedition against these Indians and of the authorities at the War Department who directed the movements in general. It

was obvious from the beginning that no hostile purpose animated the military authorities; that they recognized the peaceful errand on which the Utes had set out; and that their purpose simply to impress the Indians with the total futility of longer resistance to the will of the Government and to bring them back without the firing of a shot or the shedding of a drop of blood. Even the wish not to disarm the Indians unless they showed some purpose of misusing their hunting weapons showed tact and consideration. No military assistance would have been called upon in the matter but for the fact that the governor of Wyoming communicated to the President his inability to cope with the situation through the local civil authorities; and the same action, I assume, was taken there that would have been taken in the case of a large body of ignorant and armed white men traveling through the same country and disregarding the game laws and other local police provisions. Whatever credit, however, attached to the military management in this matter belongs with the War Department, as the Department of the Interior became merely an interested spectator after the military authorities had been directed by the President to take charge of the business.

Early in March Capt. Carter P. Johnson, of the Tenth Cavalry, came to Washington for the purpose of arranging for some permanent disposition of the Indians. His plan was to lease a sufficient body of land from one of the Sioux tribes and settle them on it. At the time of his visit Special Indian Agent Downs, in charge of the Cheyenne River Agency, was here. At a conference in which the President joined, it was decided to find homes for the Absentee Utes on the Cheyenne River Reservation in pasture No. 2, on which the pending lease was due to expire on June 1. At a general council held on April 15 the Cheyenne River Indians consented to lease the four northwestern townships of pasture No. 2, containing ample wood and water, to the Utes for five years from July 1, at an annual rental of $4\frac{1}{2}$ cents per acre. These terms were accepted by the Utes, who voted that their rent might be paid from their annuity funds. The lease was executed, and approved on May 20, and on June 11 the commandant at Fort Meade reported that the last remnant of the Utes had left for the Cheyenne River Reservation. There the Absentee band has remained ever since.